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|-------------------------------|------------------------|---------------------|--|
| <b>Notice of Allowability</b> | <b>Application No.</b> | <b>Applicant(s)</b> |  |
|                               | 09/888,158             | WHITE ET AL.        |  |
|                               | <b>Examiner</b>        | <b>Art Unit</b>     |  |
|                               | Kim T. Huynh           | 2112                |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 9/2/05.
2. ☒ The allowed claim(s) is/are 1-23, 29, 30 and 32-38.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

## DETAILED ACTION

### *Allowable Subject Matter*

1. Applicant's amendment filed on 9/2/05 have been fully considered and are persuasive.

2. The following is an examiner's statement of reasons for allowance:

As per independent claims 1, Applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest a protocol utilized by the automation application to access the network node, the protocol configured to one of query the table holding data and parameters in the node and make a change to the table holding data and parameters at a specified offset address in the table in combination with other limitations as recited in independent claim and further in view of the specification and applicant's arguments.

As per independent claim 10, applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest the modbus protocol utilized by the automation application to one of query a network table in the network device and make a change to the network table at a specified offset address in the object dictionary in combination with other limitations as recited in independent claim and further in view of the specification and applicant's arguments.

As per independent claim 16, applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest utilizes the modbus communication protocol to one of query the table and make a change to the table at a

specified offset address in the table in combination with other limitations as recited in independent claim and further in view of the specification and applicant's arguments.

As per independent claim 29, applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest the first function code comprising an index and a sub-index defining a location within the table of the network device; and a starting address, said starting address is an offset into the table being referenced by said index and said sub-index in combination with other limitations as recited in independent claim and further in view of the specification and applicant's arguments.

As per independent claim 35, applicant's claimed invention is deemed allowable over the prior art of record as the prior art fails to teach or suggest wherein the first protocol is configured to one of query the table and make a change to the table at a specified offset address in the table in combination with other limitations as recited in independent claim and further in view of the specification and applicant's arguments.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

### ***Conclusion***


4. *Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kim Huynh whose telephone number is (571)272-3635 or via e-mail addressed to [kim.huynh3@uspto.gov]. The examiner can normally be reached on M-F 9:00AM- 6:00PM. If attempts to*

*reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rehana Perveen can be reached at (571)272-3676 or via e-mail addressed to [rehana.perveen@uspto.gov].*

*The fax phone numbers for the organization where this application or proceeding is assigned are (571)273-8300 for regular communications and After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-2100.*

*Kim Huynh*

*November 7, 2005*

  
REHANA PERVEEN  
SUPERVISORY PATENT EXAMINER  
11/10/05